

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 EBERTO BAUTISTA,

4 Plaintiff

5 v.

6 NEVADA DEPARTMENT
7 OF CORRECTIONS, et. al.,

8 Defendants

Case No.: 3:18-cv-00194-MMD-WGC

Order

Re: ECF No. 38

9
10 Plaintiff has filed a motion seeking to substitute acting Nevada Department of
11 Corrections (NDOC) Director A. Wickham for defendant Director James Dzurenda under
12 Federal Rule of Civil Procedure 25(d), following Dzurenda's resignation. (ECF No. 38.)

13 Defendants have filed a response indicating that Wickham was acting director, but a new
14 permanent director has now been named—Charles Daniels. (ECF No. 44.)

15 Plaintiff's motion (ECF No. 38) is **GRANTED IN PART**. The new director, Charles
16 Daniels, is ordered substituted in for James Dzurenda under Rule 25(d) insofar as Dzurenda was
17 sued in his official capacity.

18 **IT IS SO ORDERED.**

19 Dated: December 19, 2019

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21 William G. Cobb
22 United States Magistrate Judge
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